

Your supervisor, in coordination with ethics, will determine if your proposed writing fits into a category per 5 C.F.R. §2535.807, for which you may not accept payment:

§ 2635.807 Teaching, speaking and writing.

[<image001.gif>top](#)

(a) *Compensation for teaching, speaking or writing.* Except as permitted by paragraph (a)(3) of this section, an employee, including a special Government employee, shall not receive compensation from any source other than the Government for teaching, speaking or writing that relates to the employee's official duties.

(1) *Relationship to other limitations on receipt of compensation.* The compensation prohibition contained in this section is in addition to any other limitation on receipt of compensation set forth in this chapter, including:

- (i) The requirement contained in §2636.307 of this chapter that covered noncareer employees obtain advance authorization before engaging in teaching for compensation; and
- (ii) The prohibitions and limitations in §2635.804 and in §2636.304 of this chapter on receipt of outside earned income applicable to certain Presidential appointees and to other covered noncareer employees.

(2) *Definitions.* For purposes of this paragraph:

- (i) Teaching, speaking or writing relates to the employee's official duties if:
 - (A) The activity is undertaken as part of the employee's official duties;
 - (B) The circumstances indicate that the invitation to engage in the activity was extended to the employee primarily because of his official position rather than his expertise on the particular subject matter;
 - (C) The invitation to engage in the activity or the offer of compensation for the activity was extended to the employee, directly or indirectly, by a person who has interests that may be affected substantially by performance or nonperformance of the employee's official duties;
 - (D) The information conveyed through the activity draws substantially on ideas or official data that are nonpublic information as defined in §2635.703(b); or
 - (E) Except as provided in paragraph (a)(2)(i)(E)(4) of this section, the subject of the activity deals in significant part with:
 - (1) Any matter to which the employee presently is assigned or to which the employee had been assigned during the previous one-year period;
 - (2) Any ongoing or announced policy, program or operation of the agency; or
 - (3) In the case of a noncareer employee as defined in §2636.303(a) of this chapter, the general subject matter area, industry, or economic sector primarily affected by the programs and operations of his agency.
- (4) The restrictions in paragraphs (a)(2)(i)(E) (2) and (3) of this section do not apply to a special Government employee. The restriction in paragraph (a)(2)(i)(E)(1) of this section applies only during the current appointment of a special Government employee; except that if the special Government employee has not served or is not expected to serve for more than 60 days during the first year or any subsequent one year period of that appointment, the restriction applies only to particular matters involving specific parties in which the special Government employee has participated or is participating personally and substantially.

Note: Section 2635.807(a)(2)(i)(E) does not preclude an employee, other than a covered noncareer employee, from receiving compensation for teaching, speaking or writing on a subject within the employee's discipline or inherent area of expertise based on his educational background or experience even though the teaching, speaking or writing deals generally with a subject within the agency's areas of responsibility.

Thanks.

Maureen
Maureen Gilmore
Deputy Ethics Official
Office of General Counsel
Department of Homeland Security
Phone: (b)(6)
Fax: (b)(6)

(b)(6)

Mailing address:
OGC Stop 0485
Department of Homeland Security
245 Murray Ln
Washington, DC 20528-0485

~~This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.~~

From: (b)(6)
Sent: Thursday, January 26, 2012 2:59 PM
To: Gilmore, Maureen
Cc: Bennett, Steve
Subject: question about book contract

Hi Maureen,

I am a DHS employee working in the Office of Risk Management and Analysis, under Steve Bennett. I would like to accept a contract to write a textbook, which I describe below, but I understand the need to get ethics office approval before I sign the contract.

The textbook will be on introductory analytics and published by a company called (b)(6)

The contract has not yet been signed, and is attached to this email. I'm working on the book only when I am not on duty and without using any government resources. I have no engagement with (b)(6) as part of my official duties. Analytics is a topic that I specialized in before I started working for the federal government, and the book will not contain any information on the programs or operations of DHS (obviously).

The book will contain only a brief mention of DHS in my biographical information. You will see in Section 11 of the contract that I and the

publisher have agreed to follow DHS guidelines regarding authorship. The Publisher understands that I am completing the book in my private, rather than official, capacity.

I also understand that because I hold an (b)(6) will need to pass a copy of the book, when a draft is complete, to the security office for review.

I also know to report the income from the book, if there actually is any, on the OGE 450 form.

What is the process for review? Do you need any more information?

Thanks very much for your help,

(b)(6);(b)(7)(C)

(b)(6);(b)(7)(C)

Chief Scientist
Office of Risk Management and Analysis (RMA)
National Protection and Programs Directorate (NPPD)
U.S. Department of Homeland Security

Desk: (b)(6)

Mobile: (b)(6)

(b)(6)

~~Warning: This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information such as found under 49 CFR 1520 or the Privacy Act of 1974. It should not be communicated to any person, or agency, unless disclosure is in performance of official DHS duties and there exists a valid need to know. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message.~~

From: Lacivita, Brendan
To: (b)(6)
Cc: Nichols, Kate
Subject: RE: Clearance requested for attached journal article
Date: Thursday, November 29, 2012 11:10:00 AM

You bet

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6)
Sent: Thursday, November 29, 2012 11:04 AM
To: Lacivita, Brendan
Cc: Nichols, Kate
Subject: RE: Clearance requested for attached journal article

Ah! Very good. Thank you for the update Brendan.

Regards,

(b)(6)

(b)(6)
Communications Support Contractor
Department of Homeland Security
Office of Health Affairs

(b)(6)

Office (b)(6)

Cell (b)(6)

From: Lacivita, Brendan
Sent: Thursday, November 29, 2012 10:59 AM
To: (b)(6)
Subject: RE: Clearance requested for attached journal article

It's one of the two still with the press office as described in my email below.

Brendan I. LaCivita
Deputy Director of Strategic Communications

Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6)
Sent: Thursday, November 29, 2012 10:57 AM
To: Lacivita, Brendan
Subject: RE: Clearance requested for attached journal article

Yes, this is (b)(6) article (there were several authors for this one in addition to (b)(6))

(b)(6)
Communications Support Contractor
Department of Homeland Security
Office of Health Affairs
(b)(6)
Office (b)(6) (b)(6)
Cell (b)(6)

From: Lacivita, Brendan
Sent: Thursday, November 29, 2012 10:56 AM
To: (b)(6)
Subject: RE: Clearance requested for attached journal article

Is this the (b)(6) (b)(6) article?

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6)
Sent: Thursday, November 29, 2012 9:44 AM
To: Lacivita, Brendan
Subject: RE: Clearance requested for attached journal article

Hi there – I just reached out to (b)(6) who originally submitted this one back in August and she said that you and she had discussed this one several times and the latest status before she left OHA was that the article was undergoing legal review but that you were checking in about once a week with them to usher it through the review process. Is this ringing any bells? Since (b)(6) left, I am trying to pick up the pieces and make sure nothing falls through the cracks.

Thanks Brendan!!

(b)(6)

(b)(6)

Communications Support Contractor
Department of Homeland Security
Office of Health Affairs

(b)(6)

Office (b)(6) (b)(6)

Cell (b)(6)

From: Lacivita, Brendan
Sent: Thursday, November 29, 2012 9:12 AM
To: (b)(6)
Subject: RE: Clearance requested for attached journal article

I've not seen this article so it more than likely is not with (b)(6);(b)(7)(C)

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: (b)(6)
Sent: Thursday, November 29, 2012 9:00 AM
To: Lacivita, Brendan
Subject: RE: Clearance requested for attached journal article

Hello Brendan-

I was actually inquiring about an article for Article for the CDC Emerging Infectious Diseases Journal called A (b)(4)

(b)(4)

Is this article also with (b)(6);(b)(7)(C)

Thanks-

(b)(6)

(b)(6)

Communications Support Contractor
Department of Homeland Security
Office of Health Affairs

(b)(6)

(b)(6)

Office (b)(6)

Cell (b)(6)

From: Lacivita, Brendan
Sent: Wednesday, November 28, 2012 3:36 PM
To: (b)(6)
Subject: FW: Clearance requested for attached journal article

(b)(6) – is the attached the article you referenced in your VM?

Also, the press office is reviewing two OHA articles: an article on mental health resiliency for EMS personnel, and an article on CDC emerging infectious diseases. Both were submitted to the press office in mid-August.

I received a note from the press office roughly two weeks ago that they still were under review. I strongly encourage you to contact (b)(6) for status updates on those two articles.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: (b)(6);(b)(7)(C)
Sent: Wednesday, November 14, 2012 3:50 PM
To: Lacivita, Brendan
Cc: Nichols, Kate (b)(6)
Subject: Clearance requested for attached journal article

Hi Brendan,

I write to submit a new article for OPA clearance (see attachment). This article, focusing on the

protection of subway riders from a chemical attack, is slated for publication in *CBRNE World*. It has full OHA clearance. What's more, it has been cleared by OGC Ethics (b)(6) the Office of Procurement Operations (b)(6) and the Office of the Chief Security Officer (b)(6) (b)(6)

This piece may seem vaguely familiar to you, so let me give you the following background: This is a new article on the same topic as the *Domestic Preparedness* piece that OPA cleared in March. Additionally, you may remember that OPA cleared the *Domestic Preparedness* piece again in August, this second clearance being for republication in *CBRNE World*. However, the *CBRNE World* editor changed his mind and ultimately concluded that he could not accept an article that had been published elsewhere. He nevertheless continued to express interest in the topic and asked Capt. Ignacio to prepare an original piece for *CBRNE World*, which Capt. Ignacio has done. The attached document is the new/original piece.

(b)(6) stands to receive no compensation whatsoever in return for the forthcoming publication of the article in *CBRNE World*. Finally, the piece includes a disclaimer, per guidance from (b)(6)

If you have any questions, please do your best to provide them to me by next Wednesday, if possible, as I have accepted a position with HHS and will be leaving DHS.

Thank you,

(b)(6)

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From: (b)(6)
Sent: Thursday, November 29, 2012 11:04 AM
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Ah! Very good. Thank you for the update Brendan.

Regards,

(b)(6)

(b)(6)
Communications Support Contractor
Department of Homeland Security
Office of Health Affairs
(b)(6) (b)(6)
Office (b)(6)
Cell (7) (b)(6)

From: Lacivita, Brendan
Sent: Thursday, November 29, 2012 10:59 AM
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Brendan I. LaCivita
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Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

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(b)(6)
Communications Support Contractor
Department of Homeland Security
Office of Health Affairs
(b)(6) (b)(6)
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Cell (b)(6)

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www.DHS.gov

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Thanks Brendan!!

(b)(6)

(b)(6)

Communications Support Contractor
Department of Homeland Security
Office of Health Affairs

(b)(6)

(b)(6)

Office (b)(6)

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(b)(6)

(b)(6)

Communications Support Contractor
Department of Homeland Security
Office of Health Affairs

(b)(6)

(b)(6)

Office (b)(6)

Cell (7)

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Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6)

(b)(6)

www.DHS.gov

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If you have any questions, please do your best to provide them to me by next Wednesday, if possible, as I have accepted a position with HHS and will be leaving DHS.

Thank you,

(b)(6)

From: Lacivita, Brendan
To: (b)(6)
Subject: FW: Journal Article Submitted for Clearance
Date: Tuesday, September 25, 2012 10:07:00 AM
Attachments: Article on Mental Health Resiliency for EMS Personnel.docx
Importance: High

(b)(6) here's the article I mentioned this morning.

Thanks -

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
Sent: Monday, August 27, 2012 1:01 PM
To: (b)(6)
Cc: (b)(6)
Subject: FW: Journal Article Submitted for Clearance

Hey (b)(6) - (b)(6) n OHA sent this to you for review earlier this month.

Any update?

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
Sent: Friday, August 03, 2012 3:41 PM
To: Paschall, Robert; Heller, Susan; (b)(6)
Cc: (b)(6)
Subject: FW: Journal Article Submitted for Clearance
Importance: High

Hi folks – attached for your review is an article written by a current DHS employee. The article was written in a professional capacity and the author will not be compensated. The article was cleared by (b)(6) and is scheduled to publish in *EMS Insider* next month. The article doesn't contain any

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Importance: High

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Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

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Sent: Monday, August 27, 2012 1:01 PM
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Cc: (b)(6)
Subject: FW: Journal Article Submitted for Clearance

Hey (b)(6) (b)(6) n OHA sent this to you for review earlier this month.

Any update?

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
Sent: Friday, August 03, 2012 3:41 PM
To: Paschall, Robert; Heller, Susan; (b)(6)
Cc: (b)(6)
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Importance: High

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sensitive or confidential information.

Let me know if you have any questions.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: (b)(6)
To: (b)(6)
Cc: (b)(6) Lacivita, Brendan
Subject: RE: Please Review: Mental Health Resiliency for EMS Personnel
Date: Wednesday, September 26, 2012 4:08:37 PM
Attachments: [Article on Mental Health Resiliency for EMS Personnel.docx](#)

(b)(6)

Any changes?

Thanx,

(b)(6)

From: (b)(6)
Sent: Monday, September 24, 2012 3:15 PM
To: (b)(6)
Cc: (b)(6) Lacivita, Brendan
Subject: Please Review: Mental Health Resiliency for EMS Personnel

Hi (b)(6)

Do you or anyone else in the press office have any changes? (See attachment.)

Thanks!

(b)(6)

From: Lacivita, Brendan
Sent: Monday, September 24, 2012 12:40 PM
To: (b)(6)
Cc: (b)(6)
Subject: RE: CDC (b)(6) (b)(6) Article

Hi (b)(6) - it hasn't, and neither has the (b)(6) (b)(6) article.

It appears the (b)(6) article still is with OGC, and the (b)(6) article still is with the press office. Feel free to contact (b)(6) in the press office re the (b)(6) article. I'll contact OGC again for an update on the (b)(6) article.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6)
Sent: Monday, September 24, 2012 10:38 AM
To: Lacivita, Brendan
Subject: CDC (b)(6) (b)(6) Article

Hi Brendan,

I am still going through emails so perhaps you've responded, but was wondering if the (b)(6) (b)(6) Emerging Infectious Diseases Journal article is approved, or what the status is?

Thanks!

(b)(6)

(b)(6)
Public Affairs Specialist
DHS Office of Health Affairs
(b)(6) office
(b)(6) bb

From: Lacivita, Brendan
To: (b)(6)
Cc:
Subject: RE: CDC (b)(1) (b)(6) Article
Date: Monday, September 24, 2012 12:40:00 PM

Hi (b)(6) it hasn't, and neither has the (b)(6) article.

It appears the (b)(6) article still is with OGC, and the (b)(6) article still is with the press office. Feel free to contact (b)(6) in the press office re the (b)(6) article. I'll contact OGC again for an update on the (b)(6) article.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

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Sent: Monday, September 24, 2012 10:38 AM
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Hi Brendan,

I am still going through emails so perhaps you've responded, but was wondering if the (b)(1) (b)(6) Emerging Infectious Diseases Journal article is approved, or what the status is?

Thanks!

(b)(6)

(b)(6)

Public Affairs Specialist
DHS Office of Health Affairs

(b)(6) office

(b)(6) bb

From: Lacivita, Brendan
To: (b)(6)
Subject: RE: Cleared- Article for the CDC Emerging Infectious Diseases Journal (b)(6)
Date: Friday, September 7, 2012 12:20:00 PM

Ok – sounds good

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6)
Sent: Friday, September 07, 2012 12:19 PM
To: Lacivita, Brendan; Paschall, Robert; Wong, Heather; Chandler, Matthew
Cc: Boucher, Leo
Subject: Re: Cleared- Article for the CDC Emerging Infectious Diseases Journal (b)(6) (b)(6)

Thank you for your patience. We will get back to you as soon as we can.

From: Lacivita, Brendan
Sent: Friday, September 07, 2012 12:16 PM
To: (b)(6) Paschall, Robert; (b)(6)
Cc: Boucher, Leo
Subject: RE: Cleared- Article for the CDC Emerging Infectious Diseases Journal (b)(6)

Thank (b)(6) this is the first I've heard from OGC.

Please let me know when this clears – we're approaching a month.

Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6)
Sent: Friday, September 07, 2012 12:12 PM
To: Lacivita, Brendan; Paschall, Robert; (b)(6)
Cc: Boucher, Leo
Subject: Re: Cleared- Article for the CDC Emerging Infectious Diseases Journal (b)(6) (b)(6)

Good afternoon, Brendan,

Silence is not concurrence from OGC.

(b)(6)

From: Lacivita, Brendan
Sent: Friday, September 07, 2012 11:34 AM
To: Paschall, Robert; (b)(6)
Cc: (b)(6)
Subject: RE: Cleared- Article for the CDC Emerging Infectious Diseases Journal (b)(6) (b)(6)

Hi everyone – I originally sent this article to be reviewed on 8/15, but because I haven't received any comments will assume it's fine and will clear for publication.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
Sent: Friday, August 24, 2012 12:01 PM
To: Paschall, Robert; (b)(6)
Cc: (b)(6)
Subject: RE: Cleared- Article for the CDC Emerging Infectious Diseases Journal (b)(6) (b)(6)

Hi folks – any movement on this OHA article?

Just so folks know – there are two OHA articles under Department review.

Thanks -

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
Sent: Wednesday, August 15, 2012 9:55 AM
To: Heller, Susan (b)(6) Paschall, Robert; (b)(6)
Subject: FW: Cleared- Article for the CDC Emerging Infectious Diseases Journal (b)(6) (b)(6)

HI folks – attached for review is an article co-authored by OHA for publication in the CDC Emerging

Infectious Diseases Journal.

The article doesn't reference any sensitive DHS information and has been cleared internally by (b)(6) in OGC.

OHA would like to get the article to the publisher within the next few days.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: Heller, Susan
To: Lacivita, Brendan
Cc: (b)(6) Paschall, Robert
Subject: FW: Cleared- Article for the CDC Emerging Infectious Diseases Journal (b)(6) (b)(6)
Date: Wednesday, August 15, 2012 10:48:47 AM
Attachments: IOM Report Paper (b)(6) 07-30-12 v2.docx

Brendan – it's not clear that whether this is an official government article or one that was written in the author's personal capacities. If it is an official article, then the disclaimer that this represents the author's personal views should be deleted. As this is a combined effort across several agencies, there may be different policies in those agencies about scientific articles. We will need to understand those requirements, however, the present disclaimer language is problematic.

Susan

Susan J. Heller
 Alternate Agency Ethics Official
 Ethics Division
 NAC, Bldg. 1, (b)(6)
 (b)(6)
 Washington, DC 20528-0485
 Voice: (b)(6) (b)(6)
 Fax: (b)(6)

Confidentiality Notice and Warning

The above communication and attachments are covered by Federal and state laws and regulations governing electronic communication. The communication and attachments may contain confidential or privacy protected information that is legally privileged or operationally sensitive and remains the property of the United States Government. If you are not an addressee or it is apparent that you have received this communication in error, you are hereby notified that any dissemination, distribution, copying, or other use of this message is strictly prohibited. Regardless of how you received the information contained in this communication and accompanying attachments, any use by you must be for official purposes only and misuse may subject you to Federal prosecution. If you have received this communication in error, you should immediately notify the sender of this circumstance and delete or destroy this communication and all attachments.

From: Lacivita, Brendan
Sent: Wednesday, August 15, 2012 9:55 AM
To: Heller, Susan; (b)(6) Paschall, Robert; (b)(6)
Subject: FW: Cleared- Article for the CDC Emerging Infectious Diseases Journal (b)(6) (b)(6)

HI folks – attached for review is an article co-authored by OHA for publication in the CDC Emerging Infectious Diseases Journal.

The article doesn't reference any sensitive DHS information and has been cleared internally by (b)(6) in OGC.

OHA would like to get the article to the publisher within the next few days.

Thanks –

Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: (b)(6)
To: Lacivita, Brendan
Cc: (b)(6), (b)(6)
Subject: FW: OHA Article - (b)(6), (b)(6)
Date: Thursday, September 6, 2012 7:30:04 AM

Hi Brendan—Ethics has approved the article as-is with the disclaimer included. Is there any other review required, or can we go ahead and publish the piece?

Thanks,

(b)(6)

(b)(6)

Public Affairs Specialist
DHS Office of Health Affairs
(b)(6) office
(b)(6) bb

From: (b)(6)
Sent: Thursday, September 06, 2012 7:29 AM
To: Baz, Suki
Subject: RE: OHA Article - (b)(6), (b)(6)

Thanks (b)(6) Feel free to let me know if you have any other questions.

(b)(6)

(b)(6)

From: (b)(6)
Sent: Thursday, September 06, 2012 6:06 AM
To: (b)(6)
Subject: Re: OHA Article - (b)(6), (b)(6)

Thank you, (b)(6) None of the authors, including (b)(6) will be compensated for this article. Therefore we will include the disclaimer below and move forward.

Thanks,

(b)(6)

(b)(6)

Public Affairs Specialist
DHS Office of Health Affairs
(b)(6) office
(b)(6) bb

From: (b)(6)
Sent: Wednesday, September 05, 2012 04:59 PM
To: (b)(6)
Subject: OHA Article - (b)(6), (b)(6)

(b)(6)

Susan Heller asked me to address this issue. I followed up with a few questions I had about this and have determined that this is an activity in which Mr. (b)(6) engaged in his personal capacity. Is Mr. (b)(6) being compensated for this? If so, I'll need to have additional discussion with him. If not, he may publish the article and the disclaimer provided (*The findings and conclusions in this report are those of the authors and do not necessarily represent the official position of their Agencies*) is sufficient.

(b)(6)

Deputy Ethics Official

Ethics Division

Office of the General Counsel

Department of Homeland Security

Phone: (b)(6)

Fax: (b)(6)

Blackberry: (b)(6)

Mailing address:

OGC Stop 0485

Department of Homeland Security

(b)(6)

~~This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, use or copying of this message is strictly prohibited. If you have received this in error, please reply immediately to the sender and delete this message. Thank you.~~

From: Lacivita, Brendan
To: (b)(7)(C) (b)(7)(C)
Cc: (b)(6)
Subject: RE: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)
Date: Tuesday, November 12, 2013 2:54:00 PM

Great – thank you (b)(6)

Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(7) (b)(7)(C)
Sent: Tuesday, November 12, 2013 7:51 AM
To: Lacivita, Brendan
Cc: (b)(6)
Subject: RE: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)

Brendan,

I just spoke with the Assistant Deputy Under Secretary for Analysis and I&A clears on the Subject Document for publication. Please let me know if you need anything else.

r/

(b)(6)

From: Lacivita, Brendan
Sent: Friday, November 08, 2013 2:40 PM
To: Waters, Mike; (b)(7) (b)(7)(C) Boucher, Leo
Subject: RE: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)
Importance: High

Gentlemen – have you had an opportunity to review the book chapter I forwarded on 10/24? OCSO and various program offices have cleared – I just need your clearance before moving forward. The copy goes to the printer 11/27.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs

U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: Lacivita, Brendan

Sent: Thursday, October 24, 2013 2:49 PM

To: Waters, Mike; Lott, Thomas; Young, John; (b)(7) (b)(7)(C) Boucher, Leo

Subject: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)

Gentlemen - attached for your review is an unclassified draft chapter for a book in which Dan Gerstein from S/T contributed. Dan's contributions were done in a **personal** capacity so please review from the appropriate context. Further details about the book are provided in the email thread below.

Mike - S/T would like to know if it's OK for Dan to use his DHS title in the author credits.

Thanks -
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

-----Original Message-----

From: Abbott, Catherine
Sent: Friday, October 18, 2013 9:48 AM
To: Lacivita, Brendan
Subject: FW: Dan's Textbook Chapter (UNCLASSIFIED)

Brendan,

I had sent this over before the shut down, but I'm afraid it might have gotten lost in the shuffle. Will you please give me a call when you have a moment. Thanks. Cathy

Catherine Ellen Abbott
Director, Office of Corporate Communications DHS Science and Technology Directorate
W: (b)(6) BB (b)(6)

-----Original Message-----

From: (b)(6)
Sent: Thursday, September 26, 2013 11:25 AM
To: Abbott, Catherine
Subject: Dan's Textbook Chapter (UNCLASSIFIED)

Hey Cathy,

From an OPA perspective, can you take a look at the attached and let me know if there is any issue with Dan listing his DHS S&T title as the one of the authors for Chapter 1 of the book titled Medical Aspects of Biological Warfare 2nd Edition (or any issues period). Chapter 1 is attached.

I have filled out the attached pages 15-20 in the PDF AU Guide for Dan and just need his signature before he submits the attached paperwork, but want to be sure we have all the correct information and are following protocol.

Many thanks!

(b)(6)
Executive Assistant for the Deputy Under Secretary Science and Technology Directorate Department of Homeland Security

(b)(6)

(b)(6)

-----Original Message-----

From: Gerstein, Daniel
Sent: Wednesday, September 25, 2013 7:29 AM
To: (b)(6)
Subject: FW: Textbook Chapter (UNCLASSIFIED)

Dan

Daniel M. Gerstein, PhD
Under Secretary (Acting), Science & Technology Directorate U.S. Department of Homeland Security,
Washington, D.C. 20528

W: (b)(6)

C: (b)(6)

-----Original Message-----

From: (b)(7)(C) W CIV USARMY DOD JPEOCBD (US)
(b)(7)(C)
Sent: Tuesday, September 24, 2013 1:39 PM

To: Gerstein, Daniel
Subject: RE: Textbook Chapter (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

Dan,

Attached is the current draft that's going to JPEO for security review/clearance. Please return pdf file of completed/signed author's forms (p 15-20 of attached document). Thank you again for your key contributions!

V/R,

(b)(6)

(b)(6)

Chief Medical Officer
Medical Countermeasure Systems (MCS)

(b)(6)

Fort Belvoir, VA 22060-5865

Tel

(b)(6)

(b)(6)

(b)(7)(C)

-----Original Message-----

From: (b)(7)(C) CIV USARMY DOD JPEOCBD (US)
Sent: Tuesday, September 17, 2013 10:29 AM
To: 'Gerstein, Daniel'
Subject: RE: Textbook Chapter

Dan,

At this juncture, we're good to go. Thank you for your offer-let's wait until after the coordinations and reviews are done. I sincerely appreciate your participation.

Best regards,

(b)(6)

-----Original Message-----

From: Gerstein, Daniel [mailto:(b)(6)] (b)(6)

Sent: Tuesday, September 17, 2013 10:21 AM

To: (b)(7)(C)

Subject: Re: Textbook Chapter

So do you need any more from me in terms of writing?

----- Original Message -----

From: (b)(6)

(b)(7)(C)

Sent: Tuesday, September 17, 2013 10:07 AM

To: Daniel Gerstein (b)(6) (b)(6)

Cc: Gerstein, Daniel

Subject: RE: Textbook Chapter

Dan,

Jim (b)(7)(C) has sent in his additions, and (b)(6) has promised his additions by the end of this week-I've been through the draft again, made some changes, and am very pleased by how it reads. I think that the issues raised by biotechnology are addressed in the discussion of DURC.

Will send out the final draft to you, Jim and (b) early next week, and to MCS and JPEO for coordination and security review; after that it will go to USAMRIID for two external reviews and final edits...there will be opportunities for further revision.

Thank you for participating! The inclusion of info on US program, BWC and policy items has vastly improved the quality of this chapter.

Best regards,

(b)(6)

(b)(7)(C)

Chief Medical Officer

Medical Countermeasure Systems (MCS)

(b)(6)

Fort Belvoir, VA 22060-5865

Tel

(b)(6)

DSN

(b)(6)

(b)(7)(C)

-----Original Message-----

From: Daniel Gerstein [mailto:[\(b\)\(6\)](#)]

(b)(6)

Sent: Monday, September 02, 2013 7:29 AM

To: (b)(6) USARMY DOD JPEOCBD (US); Dan Gerstein

Subject: Textbook Chapter

(b)(6)

See attached ...

Feels like we need to look at pulling out some of the detail. Also, not sure that the stuff at the end has been edited.

Are there others areas you want me to look at? I did not add anything on biotechnology although I was tempted.

Dan

Dr. Daniel M. Gerstein

From: Lacivita, Brendan
To: Boucher, Leo
Subject: RE: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)
Date: Tuesday, November 12, 2013 2:55:00 PM

Ok – thank you Chip.

Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Boucher, Leo
Sent: Tuesday, November 12, 2013 7:52 AM
To: Lacivita, Brendan; Waters, Mike; Lott, Thomas; Young, John; (b)(7) (b)(7)(C)
Subject: RE: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)

Ad law reviewed and has no comments.

Chip Boucher
Assistant General Counsel, Administrative Law Branch
General Law Division
Office of the General Counsel
Department of Homeland Security
Washington, DC 20528
Telephone: (b)(6) (b)(6) Cell: (b)(6) (b)(6)

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From: Lacivita, Brendan
Sent: Thursday, October 24, 2013 2:49 PM
To: Waters, Mike; Lott, Thomas; Young, John; (b)(7) (b)(7)(C) Boucher, Leo
Subject: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)

Gentlemen - attached for your review is an unclassified draft chapter for a book in which Dan Gerstein from S/T contributed. Dan's contributions were done in a **personal** capacity so please review from the appropriate context. Further details about the book are provided in the email thread below.

Mike - S/T would like to know if it's OK for Dan to use his DHS title in the author credits.

Thanks -
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

-----Original Message-----

From: Abbott, Catherine
Sent: Friday, October 18, 2013 9:48 AM
To: Lacivita, Brendan
Subject: FW: Dan's Textbook Chapter (UNCLASSIFIED)

Brendan,

I had sent this over before the shut down, but I'm afraid it might have gotten lost in the shuffle. Will you please give me a call when you have a moment. Thanks. Cathy

Catherine Ellen Abbott
Director, Office of Corporate Communications DHS Science and Technology Directorate
W: (b)(6) BB (b)(6)

-----Original Message-----

From: (b)(6)
Sent: Thursday, September 26, 2013 11:25 AM
To: Abbott, Catherine
Subject: Dan's Textbook Chapter (UNCLASSIFIED)

Hey Cathy,

From an OPA perspective, can you take a look at the attached and let me know if there is any issue with Dan listing his DHS S&T title as the one of the authors for Chapter 1 of the book titled Medical Aspects of Biological Warfare 2nd Edition (or any issues period). Chapter 1 is attached.

I have filled out the attached pages 15-20 in the PDF AU Guide for Dan and just need his signature before he submits the attached paperwork, but want to be sure we have all the correct information and are following protocol.

Many thanks!

(b)(6)

Executive Assistant for the Deputy Under Secretary Science and Technology Directorate Department of Homeland Security

(b)(6)

(b)(6)

-----Original Message-----

From: Gerstein, Daniel

Sent: Wednesday, September 25, 2013 7:29 AM

To: (b)(6)

Subject: FW: Textbook Chapter (UNCLASSIFIED)

Dan

Daniel M. Gerstein, PhD

Under Secretary (Acting), Science & Technology Directorate U.S. Department of Homeland Security,
Washington, D.C. 20528

W: (b)(6)

C: (b)(6)

-----Original Message-----

From: (b)(7)(C) RMY DOD JPEOCBD (US)

(b)(7)(C)

Sent: Tuesday, September 24, 2013 1:39 PM

To: Gerstein, Daniel

Subject: RE: Textbook Chapter (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Dan,

Attached is the current draft that's going to JPEO for security review/clearance. Please return pdf file of completed/signed author's forms (p 15-20 of attached document). Thank you again for your key contributions!

V/R,

(b)(6)

(b)(6)

Chief Medical Officer
Medical Countermeasure Systems (MCS)

(b)(6)

Fort Belvoir, VA 22060-5865

Tel (b)(6)

DSN 564-1019

(b)(7)(C)

-----Original Message-----

From: (b)(7)(C) USARMY DOD JPEOCBD (US)

Sent: Tuesday, September 17, 2013 10:29 AM

To: 'Gerstein, Daniel'

Subject: RE: Textbook Chapter

Dan,

At this juncture, we're good to go. Thank you for your offer-let's wait until after the coordinations and reviews are done. I sincerely appreciate your participation.

Best regards,

(b)(6)

-----Original Message-----

From: Gerstein, Daniel [mailto:(b)(6)]

Sent: Tuesday, September 17, 2013 10:21 AM

To: (b)(7)(C) msn.com'

Subject: Re: Textbook Chapter

So do you need any more from me in terms of writing?

----- Original Message -----

From: (b)(6) CIV USARMY DOD JPEOCBD (US)

(b)(7)(C)

Sent: Tuesday, September 17, 2013 10:07 AM

To: Daniel Gerstein (b)(6) (b)(6)

Cc: Gerstein, Daniel

Subject: RE: Textbook Chapter

Dan,

(b)(6) has sent in his additions, and (b)(6) has promised his additions by the end of this week-I've been through the draft again, made some changes, and am very pleased by how it reads. I think that the issues raised by biotechnology are addressed in the discussion of DURC.

Will send out the final draft to you (b)(6) and (b) early next week, and to MCS and JPEO for coordination and security review; after that it will go to USAMRIID for two external reviews and final edits...there will be opportunities for further revision.

Thank you for participating! The inclusion of info on US program, BWC and policy items has vastly improved the quality of this chapter.

Best regards,

(b)(6)

Chief Medical Officer

Medical Countermeasure Systems (MCS)

(b)(6)

Fort Belvoir, VA 22060-5865

Tel (b)(6)

DSN (b)(6)

(b)(6)
(b)(7)(C)

-----Original Message-----

From: Daniel Gerstein [mailto:(b)(6)]
Sent: Monday, September 02, 2013 7:29 AM
To: (b)(6) USARMY DOD JPEOCBD (US); Dan Gerstein
Subject: Textbook Chapter

George,

See attached ...

Feels like we need to look at pulling out some of the detail. Also, not sure that the stuff at the end has been edited.

Are there others areas you want me to look at? I did not add anything on biotechnology although I was tempted.

Dan

Dr. Daniel M. Gerstein

From: [Lacivita, Brendan](#)
To: [Waters, Mike](#)
Subject: RE: Pre-Pub Review - DUS's Textbook Chapter (UNCLASSIFIED)
Date: Tuesday, November 12, 2013 3:10:00 PM
Attachments: image001.png

Thank you Mike – I very much appreciate your review and opinion.

Regards,
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: (b)(6)
Sent: Friday, November 08, 2013 3:08 PM
To: Lacivita, Brendan
Cc: (b)(6)
Subject: RE: Pre-Pub Review - DUS's Textbook Chapter (UNCLASSIFIED)

Sorry, Mr. Brendan, I thought I had sent this weeks ago and found it was sitting in my "draft" email. Since this opinion involves the propriety of the drafting of a chapter by Deputy Under Secy's, along with a couple of Army co-authors/experts and a private civilian expert, I talked to the DoD ethics program. In short, I am not concerned about the writing itself (that is more of a subject matter expert review to prevent the release on non-Public information, as discussed below) but about the proposed use of title and position for our Federal authors in the proposed publication. Here is the relevant excerpt (the proposed start of the chapter):

(b)(4)

(b)(4)

Again, I defer to the subject matter experts in DHS and DoD regarding the substantive nature and content of the material discussed in this work--and whether or not non-public, classified, LE sensitive or Privacy Act information would be released with publication--but my read, for what it is worth, is that this is not the case and the topic and content are likely unobjectionable.

(b)(5)

(b)(5)

I have coordinated this opinion with the DoD ethics office, and we are in agreement that the proposed use of title and position would be a misuse of title under the *Standards*. The DoD authors should be encouraged to seek the advice of their ethics counselors if they have any questions.

Sincerely,

Mike

Mike Waters
Deputy AGC for Ethics
DHS-OGC
NAC, Bldg 1, (b)(6)

Voice: (b)(6)

BB: (b)(6)

Fax: (b)(6)

Maintaining the public's trust in the integrity of Department programs by providing ethics advice and counseling services to the DHS workforce



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From: Lacivita, Brendan

Sent: Friday, November 08, 2013 2:40 PM

To: (b)(6) (b)(7) (b)(7)(C) Boucher, Leo

Subject: RE: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)

Importance: High

Gentlemen – have you had an opportunity to review the book chapter I forwarded on 10/24? OCSO and various program offices have cleared – I just need your clearance before moving forward. The copy goes to the printer 11/27.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
Sent: Thursday, October 24, 2013 2:49 PM
To: (b)(6) Lott, Thomas; Young, John; (b)(7) (b)(7)(C) Boucher, Leo
Subject: Pre-Pub Review - (b)(6) Textbook Chapter (UNCLASSIFIED)

Gentlemen - attached for your review is an unclassified draft chapter for a book in which Dan Gerstein from S/T contributed. Dan's contributions were done in a **personal** capacity so please review from the appropriate context. Further details about the book are provided in the email thread below.

Mike - S/T would like to know if it's OK for Dan to use his DHS title in the author credits.

Thanks -
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

-----Original Message-----

From: Abbott, Catherine
Sent: Friday, October 18, 2013 9:48 AM
To: Lacivita, Brendan
Subject: FW: Dan's Textbook Chapter (UNCLASSIFIED)

Brendan,

I had sent this over before the shut down, but I'm afraid it might have gotten lost in the shuffle.

Will you please give me a call when you have a moment. Thanks. Cathy

Catherine Ellen Abbott

Director, Office of Corporate Communications DHS Science and Technology Directorate

W: (b)(6) BB (b)(6)

-----Original Message-----

From: (b)(6)

Sent: Thursday, September 26, 2013 11:25 AM

To: Abbott, Catherine

Subject: Dan's Textbook Chapter (UNCLASSIFIED)

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Many thanks!

(b)(6)

Executive Assistant for the Deputy Under Secretary Science and Technology Directorate Department of Homeland Security

(b)(6)

(b)(6)

-----Original Message-----

From: Gerstein, Daniel

Sent: Wednesday, September 25, 2013 7:29 AM

To: (b)(6)

Subject: FW: Textbook Chapter (UNCLASSIFIED)

Dan

I
Daniel M. Gerstein, PhD
Under Secretary (Acting), Science & Technology Directorate U.S. Department of Homeland Security,
Washington, D.C. 20528

W: (b)(6)

C: (b)(6)

-----Original Message-----

From: (b)(7)(C) (b)(6) CIV USARMY DOD JPEOCBD (US)
(b)(7)(C)

Sent: Tuesday, September 24, 2013 1:39 PM

To: Gerstein, Daniel

Subject: RE: Textbook Chapter (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Dan,

Attached is the current draft that's going to JPEO for security review/clearance. Please return pdf file of completed/signed author's forms (p 15-20 of attached document). Thank you again for your key contributions!

V/R,

(b)(6)
(b)(7)(C)

Chief Medical Officer
Medical Countermeasure Systems (MCS)

(b)(6)

Fort Belvoir, VA 22060-5865

Tel (b)(6)
DSN

(b)(7)(C)

-----Original Message-----

From: (b)(7)(C) (b)(6) CIV USARMY DOD JPEOCBD (US)
Sent: Tuesday, September 17, 2013 10:29 AM
To: 'Gerstein, Daniel'
Subject: RE: Textbook Chapter

Dan,

At this juncture, we're good to go. Thank you for your offer-let's wait until after the coordinations and reviews are done. I sincerely appreciate your participation.

Best regards,

(b)(6)

-----Original Message-----

From: Gerstein, Daniel [mailto:(b)(6) (b)(6)]
Sent: Tuesday, September 17, 2013 10:21 AM
To: (b)(7)(C) CIV USARMY DOD JPEOCBD (US); (b)(6)
Subject: Re: Textbook Chapter

So do you need any more from me in terms of writing?

----- Original Message -----

From: (b)(6) (b)(6) CIV USARMY DOD JPEOCBD (US)
(b)(7)(C)
Sent: Tuesday, September 17, 2013 10:07 AM
To: Daniel Gerstein (b)(6) (b)(6)
Cc: Gerstein, Daniel
Subject: RE: Textbook Chapter

Dan,

Jim (b)(7)(C) has sent in his additions, and (b)(6) has promised his additions by the end of this week-I've been through the draft again, made some changes, and am very pleased by how it reads. I think that the issues raised by biotechnology are addressed in the discussion of DURC.

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Thank you for participating! The inclusion of info on US program, BWC and policy items has vastly improved the quality of this chapter.

Best regards,

(b)(6)

MD

Chief Medical Officer

Medical Countermeasure Systems (MCS)

(b)(6)

Fort Belvoir, VA 22060-5865

Tel (

(b)(6)

DSN

(b)(6)
(b)(7)(C)

-----Original Message-----

From: Daniel Gerstein [mailto:

(b)(6)

(b)(6)

Sent: Monday, September 02, 2013 7:29 AM

To: (b)(6) W CIV USARMY DOD JPEOCBD (US); Dan Gerstein

Subject: Textbook Chapter

(b)(6)

See attached ...

Feels like we need to look at pulling out some of the detail. Also, not sure that the stuff at the end has been edited.

Are there others areas you want me to look at? I did not add anything on biotechnology although I was tempted.

Dan

Dr. Daniel M. Gerstein

From: [Lacivita, Brendan](#)
To: [Abbott, Catherine](#)
Subject: RE: Pre-Pub Review - DUS's Textbook Chapter (UNCLASSIFIED)
Date: Tuesday, November 12, 2013 3:48:00 PM
Attachments: image001.png

Sounds good – thanks

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Abbott, Catherine
Sent: Tuesday, November 12, 2013 3:42 PM
To: Lacivita, Brendan
Subject: RE: Pre-Pub Review - DUS's Textbook Chapter (UNCLASSIFIED)

Thanks Brendan! I'll let Dan know. Cathy

Catherine Ellen Abbott
Director, Office of Corporate Communications
DHS Science and Technology Directorate
W: (b)(6) BB (b)(6)

From: Lacivita, Brendan
Sent: Tuesday, November 12, 2013 3:19 PM
To: Abbott, Catherine
Subject: FW: Pre-Pub Review - DUS's Textbook Chapter (UNCLASSIFIED)
Importance: High

Cathy – I've received all internal clearances for this draft textbook chapter and you are good to go; however, please see email below from Ethics for its guidance on use of Dan's DHS title/position.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Waters, Mike
Sent: Friday, November 08, 2013 3:08 PM
To: Lacivita, Brendan
Cc: Waters, Mike
Subject: RE: Pre-Pub Review - DUS's Textbook Chapter (UNCLASSIFIED)

Sorry, Mr. Brendan, I thought I had sent this weeks ago and found it was sitting in my "draft" email. Since this opinion involves the propriety of the drafting of a chapter by Deputy Under Secy's, along with a couple of Army co-authors/experts and a private civilian expert, I talked to the DoD ethics program. In short, I am not concerned about the writing itself (that is more of a subject matter expert review to prevent the release on non-Public information, as discussed below) but about the proposed use of title and position for our Federal authors in the proposed publication. Here is the relevant excerpt (the proposed start of the chapter):

(b)(4),(b)(5)

Again, I defer to the subject matter experts in DHS and DoD regarding the substantive nature and content of the material discussed in this work--and whether or not non-public, classified, LE sensitive or Privacy Act information would be released with publication--but my read, for what it is worth, is that this is not the case and the topic and content are likely unobjectionable.

(b)(5)

I have coordinated this opinion with the DoD ethics office, and we are in agreement that the proposed use of title and position would be a misuse of title under the *Standards*. The DoD authors should be encouraged to seek the advice of their ethics counselors if they have any questions.

Sincerely,

Mike

Mike Waters
Deputy AGC for Ethics
DHS-OGC

NAC, Bldg 1, (b)(6)

Voice: (b)(6)

BB: (b)(6)

Fax: (b)(6)

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From: [Epstein, Gerald](#)
To: [Lacivita, Brendan](#)
Subject: RE: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)
Date: Wednesday, November 6, 2013 1:19:01 AM

Brendan, I have reviewed the chapter and there is nothing that warrants concern with respect to security or any inappropriate implication of DHS endorsement (even if Dr. Gerstein had not included a disclaimer).

Jerry Epstein

From: Lacivita, Brendan
Sent: Friday, October 25, 2013 11:14 AM
To: Epstein, Gerald
Subject: FW: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)

Jerry – please see email below. John Young in OCSO suggested I forward this book article to you for review.

Let me know if you have any questions.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
Sent: Thursday, October 24, 2013 2:49 PM
To: Waters, Mike; Lott, Thomas; Young, John; (b)(7) (b)(7)(C) Boucher, Leo
Subject: Pre-Pub Review - Dan's Textbook Chapter (UNCLASSIFIED)

Gentlemen - attached for your review is an unclassified draft chapter for a book in which Dan Gerstein from S/T contributed. Dan's contributions were done in a **personal** capacity so please review from the appropriate context. Further details about the book are provided in the email thread below.

Mike - S/T would like to know if it's OK for Dan to use his DHS title in the author credits.

Thanks -
Brendan

Brendan I. LaCivita

Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

-----Original Message-----

From: Abbott, Catherine
Sent: Friday, October 18, 2013 9:48 AM
To: Lacivita, Brendan
Subject: FW: Dan's Textbook Chapter (UNCLASSIFIED)

Brendan,

I had sent this over before the shut down, but I'm afraid it might have gotten lost in the shuffle. Will you please give me a call when you have a moment. Thanks. Cathy

Catherine Ellen Abbott
Director, Office of Corporate Communications DHS Science and Technology Directorate
W: (b)(6) BB (b)(6)

-----Original Message-----

From: (b)(6)
Sent: Thursday, September 26, 2013 11:25 AM
To: Abbott, Catherine
Subject: Dan's Textbook Chapter (UNCLASSIFIED)

Hey Cathy,

From an OPA perspective, can you take a look at the attached and let me know if there is any issue with Dan listing his DHS S&T title as the one of the authors for Chapter 1 of the book titled Medical Aspects of Biological Warfare 2nd Edition (or any issues period). Chapter 1 is attached.

I have filled out the attached pages 15-20 in the PDF AU Guide for Dan and just need his signature before he submits the attached paperwork, but want to be sure we have all the correct information and are following protocol.

Many thanks!

(b)(6)

Executive Assistant for the Deputy Under Secretary Science and Technology Directorate Department

of Homeland Security

(b)(6)

(b)(6)

-----Original Message-----

From: Gerstein, Daniel

Sent: Wednesday, September 25, 2013 7:29 AM

To: (b)(6)

Subject: FW: Textbook Chapter (UNCLASSIFIED)

Dan

Daniel M. Gerstein, PhD

Under Secretary (Acting), Science & Technology Directorate U.S. Department of Homeland Security,
Washington, D.C. 20528

W: (b)(6)

C: (b)(6)

-----Original Message-----

From: (b)(6) CIV USARMY DOD JPEOCBD (US)

(b)(6)

Sent: Tuesday, September 24, 2013 1:39 PM

To: Gerstein, Daniel

Subject: RE: Textbook Chapter (UNCLASSIFIED)

Classification: UNCLASSIFIED

Caveats: NONE

Dan,

Attached is the current draft that's going to JPEO for security review/clearance. Please return pdf file of completed/signed author's forms (p 15-20 of attached document). Thank you again for your key contributions!

V/R,

(b)(6)

(b)(6)

MD

Chief Medical Officer

Medical Countermeasure Systems (MCS)

(b)(6)

Fort Belvoir, VA 22060-5865

Tel (b)(6)

DSN

(b)(7)(C)

-----Original Message-----

From: (b)(7)(C) (b)(6) CIV USARMY DOD JPEOCBD (US)

Sent: Tuesday, September 17, 2013 10:29 AM

To: 'Gerstein, Daniel'

Subject: RE: Textbook Chapter

Dan,

At this juncture, we're good to go. Thank you for your offer-let's wait until after the coordinations and reviews are done. I sincerely appreciate your participation.

Best regards,

(b)(6)

-----Original Message-----

From: Gerstein, Daniel [mailto:(b)(6)] (b)(6)

Sent: Tuesday, September 17, 2013 10:21 AM

To: (b)(7)(C) CIV USARMY DOD JPEOCBD (US); (b)(6) (b)(6)

Subject: Re: Textbook Chapter

So do you need any more from me in terms of writing?

----- Original Message -----

From: (b)(7)(C) (b)(6) CIV USARMY DOD JPEOCBD (US)

(b)(7)(C)

Sent: Tuesday, September 17, 2013 10:07 AM

To: Daniel Gerstein (b)(6) (b)(6)

Cc: Gerstein, Daniel
Subject: RE: Textbook Chapter

Dan,

Jim (b)(7)(C) has sent in his additions, and (b)(6) has promised his additions by the end of this week-I've been through the draft again, made some changes, and am very pleased by how it reads. I think that the issues raised by biotechnology are addressed in the discussion of DURC.

Will send out the final draft to you (b)(6) and (b) early next week, and to MCS and JPEO for coordination and security review; after that it will go to USAMRIID for two external reviews and final edits...there will be opportunities for further revision.

Thank you for participating! The inclusion of info on US program, BWC and policy items has vastly improved the quality of this chapter.

Best regards,

(b)(6)
MD

Chief Medical Officer
Medical Countermeasure Systems (MCS)

(b)(6)
Fort Belvoir, VA 22060-5865

Tel (b)(6)
DSN (b)(6)
(b)(7)(C)

-----Original Message-----

From: Daniel Gerstein [mailto:(b)(6) (b)(6)]
Sent: Monday, September 02, 2013 7:29 AM
To: (b)(7)(C) W CIV USARMY DOD JPEOCBD (US); Dan Gerstein
Subject: Textbook Chapter

(b)(6)

See attached ...

Feels like we need to look at pulling out some of the detail. Also, not sure that the stuff at the end has been edited.

Are there others areas you want me to look at? I did not add anything on biotechnology although I was tempted.

Dan

Dr. Daniel M. Gerstein

From: (b)(6)
To: Lacivita, Brendan
Subject: FW: Question re: Article
Date: Thursday, August 16, 2012 11:00:51 AM

Hi Brendan—please see below from (b)(6) about each author writing in personal capacity for the CDC Emerging Infectious Diseases journal.

Thanks,

(b)(6)

(b)(6)

Public Affairs Specialist
DHS Office of Health Affairs

(b)(6) office

(b)(6) bb

From: (b)(6) (b)(6)
Sent: Thursday, August 16, 2012 10:50 AM
To: (b)(6)
Subject: RE: Question re: Article

All authors are writing under personal capacity and the statement applies to each.

From: (b)(6)
Sent: Thursday, August 16, 2012 10:49 AM
To: (b)(6) (b)(6)
Subject: Question re: Article

Hi (b)(6) spoke with my contact at Public Affairs, and the ethics office is asking about the disclaimer that I believe (b)(6) added that states:

The findings and conclusions in this report are those of the authors and do not necessarily represent the official position of their Agencies.

The ethics office would like to know if all of the writers are writing under personal capacity or professional. We may need to alter the disclaimer depending on the answer, but that shouldn't be a big deal.

Many thanks,

(b)(6)

(b)(6)

Public Affairs Specialist
DHS Office of Health Affairs

(b)(6) office

(b)(6) bb

From: Lacivita, Brendan
To: (b)(6) (b)(7)(C)
Cc: Waters, Mike
Subject: RE: Article for Approval
Date: Thursday, August 8, 2013 11:28:00 AM

(b)(7) - OCSO, I/A, PRIVACY, OGC, OCHCO, and OPA have reviewed and cleared so this is good to go.

Just so you know, DHS review only was necessary to ensure no FOUO or sensitive information obtained in your professional capacity or otherwise, was inadvertently included in the article. There was no review for any other purpose.

Thanks for sending.

Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

-----Original Message-----

From: (b)(6) (b)(7)(C)
Sent: Wednesday, August 07, 2013 10:37 AM
To: Lacivita, Brendan
Cc: Waters, Mike
Subject: RE: Article for Approval

Additional edits have been made, so here is the most recent version. Thanks so much.

(b)(7)(C)

(b)(7)(C) (b)(6) CIPP/US, CIPP/G
Senior Policy Advisor Office for Civil Rights & Civil Liberties U.S. Department of Homeland Security
(b)(6) - Office
(b)(6) - Mobile

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-----Original Message-----

From: Lacivita, Brendan
Sent: Wednesday, August 07, 2013 10:18 AM
To: (b)(6) (b)(7)(C)

Cc: Waters, Mike
Subject: RE: Article for Approval

Ok - I'll forward this iteration to the other Department reviewers now.

Thanks -

Brendan I. LaCivita
Deputy Director of Strategic Communications Office of Public Affairs U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

-----Original Message-----

From: (b)(6) (b)(7)
Sent: Tuesday, August 06, 2013 5:57 PM
To: Lacivita, Brendan
Cc: Waters, Mike
Subject: FW: Article for Approval

Hi Brendan,

I have been working with Mike Waters to ensure compliance with the ethics rules. The revised version is attached for your review.

Thanks,

(b)(7)

(b)(7) (b)(6) CIPP/US, CIPP/G
Senior Policy Advisor Office for Civil Rights & Civil Liberties U.S. Department of Homeland Security
(b)(6) - Office
(b)(6) - Mobile

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From: Lacivita, Brendan
To: Waters, Mike; (b)(6); (b)(7)(C)
Subject: RE: Article for Approval
Date: Thursday, August 8, 2013 12:44:00 PM

No apologies necessary Mike - glad I was able to help out.

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6); (b)(6)
www.DHS.gov

-----Original Message-----

From: Waters, Mike
Sent: Thursday, August 08, 2013 12:40 PM
To: (b)(6); (b)(7)(C); Lacivita, Brendan
Subject: RE: Article for Approval

I can't speak from the SSO point of view, and can certainly understand why they would like to see articles written by our personnel. From the ethics point of view, I suggested (b)(5);(b)(6)

(b)(5)

(b)(5) Thanks, Brendan, for the quick turnaround in any event! Sorry if I made unnecessary work in acting to advise Mr. Becker to seek this review!

Sincerely,
Mike

Mike Waters
Deputy AGC for Ethics
DHS-OGC
NAC, Bldg 1, (b)(6)

Voice: (b)(7)(C); (b)(6)
BB: (b)(6)
Fax: (b)(6)

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-----Original Message-----

From: (b)(6); (b)(7)(C)
Sent: Thursday, August 08, 2013 12:34 PM
To: Lacivita, Brendan

Cc: Waters, Mike
Subject: RE: Article for Approval

That does help, thanks Brendan. I was told that due to my clearance it had to through my SSO, and I believe that's how you got it, and through Ethics.

(b)(7)

-----Original Message-----

From: Lacivita, Brendan
Sent: Thursday, August 08, 2013 12:28 PM
To: (b)(6) (b)(7)
Cc: Waters, Mike
Subject: RE: Article for Approval

I'm unsure why this particular article required review - I received it from I/A. But normally, an article like this one wouldn't need DHS review because it doesn't address any DHS policy or program. That being said, it's always good to run by Ethics - particularly if the author identifies himself as a DHS employee.

But to answer your question - if you write an article in a personal capacity on anything DHS-related, then you'll need DHS review - and we'd review from the context of FOUO and sensitive information. We're not looking to censor employees' personal writings.

Hope that helps -

Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications Office of Public Affairs U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

-----Original Message-----

From: (b)(6) (b)(7)
Sent: Thursday, August 08, 2013 12:11 PM
To: Lacivita, Brendan
Cc: Waters, Mike
Subject: RE: Article for Approval

Thank you Brendan. So for future reference, no DHS review is necessary for articles written in an employee's personal capacity?

Best,

(b)(7)

(b)(7) (b)(6) CIPP/US, CIPP/G
Senior Policy Advisor Office for Civil Rights & Civil Liberties U.S. Department of Homeland Security
(b)(6) - Office
(b)(6) - Mobile

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-----Original Message-----

From: Lacivita, Brendan

Sent: Thursday, August 08, 2013 11:29 AM

To: (b)(6) (b)(7)

Cc: Waters, Mike

Subject: RE: Article for Approval

(b)(7) - OCSO, I/A, PRIVACY, OGC, OCHCO, and OPA have reviewed and cleared so this is good to go.

Just so you know, DHS review only was necessary to ensure no FOUO or sensitive information obtained in your professional capacity or otherwise, was inadvertently included in the article. There was no review for any other purpose.

Thanks for sending.

Brendan

Brendan I. LaCivita

Deputy Director of Strategic Communications Office of Public Affairs U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

-----Original Message-----

From: (b)(6) (b)(7)

Sent: Wednesday, August 07, 2013 10:37 AM

To: Lacivita, Brendan

Cc: Waters, Mike

Subject: RE: Article for Approval

Additional edits have been made, so here is the most recent version. Thanks so much.

(b)(7)

(b)(7) (b)(6) CIPP/US, CIPP/G

Senior Policy Advisor Office for Civil Rights & Civil Liberties U.S. Department of Homeland Security

(b)(6) - Office

(b)(6) - Mobile

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-----Original Message-----

From: Lacivita, Brendan
Sent: Wednesday, August 07, 2013 10:18 AM
To: (b)(6) (b)(7)
Cc: Waters, Mike
Subject: RE: Article for Approval

Ok - I'll forward this iteration to the other Department reviewers now.

Thanks -

Brendan I. LaCivita
Deputy Director of Strategic Communications Office of Public Affairs U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

-----Original Message-----

From: (b)(6) (b)(7)
Sent: Tuesday, August 06, 2013 5:57 PM
To: Lacivita, Brendan
Cc: Waters, Mike
Subject: FW: Article for Approval

Hi Brendan,

I have been working with Mike Waters to ensure compliance with the ethics rules. The revised version is attached for your review.

Thanks,

(b)(7)

(b)(7) (b)(6) CIPP/US, CIPP/G
Senior Policy Advisor Office for Civil Rights & Civil Liberties U.S. Department of Homeland Security
(b)(6) - Office
(b)(6) - Mobile

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From: Lacivita, Brendan
To: Boucher, Leo
Subject: RE: OIA-CAN Review - Theresa Brown Prepublication review request
Date: Wednesday, July 3, 2013 12:21:00 PM

Apologies Chip – yes, it's closed.

Brendan I. LaCivita
 Deputy Director of Strategic Communications
 Office of Public Affairs
 U.S. Department of Homeland Security
 (b)(7)(F)(b)(6)
www.DHS.gov

From: Boucher, Leo
Sent: Sunday, June 30, 2013 10:57 AM
To: Lacivita, Brendan
Subject: RE: OIA-CAN Review - Theresa Brown Prepublication review request

Brendan
 Is this a closed action? I am trying to clear out some email. thx.

Chip Boucher
 Assistant General Counsel, Administrative Law Branch
 General Law Division
 Office of the General Counsel
 Department of Homeland Security
 Washington, DC 20528
 Telephone: (b)(7)(F)(b)(6) Cell: (b)(7)(F)(b)(6)

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From: Lacivita, Brendan
Sent: Thursday, April 11, 2013 12:53 PM
To: Boucher, Leo
Subject: RE: OIA-CAN Review - Theresa Brown Prepublication review request

Hi Chip – any update on this?

Thanks -
 Brendan

Brendan I. LaCivita
 Deputy Director of Strategic Communications
 Office of Public Affairs
 U.S. Department of Homeland Security
 (b)(7)(F)(b)(6)
www.DHS.gov

From: Boucher, Leo
Sent: Thursday, April 04, 2013 12:39 PM
To: Lacivita, Brendan
Subject: RE: OIA-CAN Review - Theresa Brown Prepublication review request

Yup, saw it, Brendan. Thx.

Chip Boucher
 Assistant General Counsel, Administrative Law Branch
 General Law Division
 Office of the General Counsel
 Department of Homeland Security
 Washington, DC 20528
 Telephone: (b)(7)(F)(b)(6)

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From: Lacivita, Brendan
Sent: Thursday, April 04, 2013 11:51 AM
To: Boucher, Leo
Subject: RE: OIA-CAN Review - Theresa Brown Prepublication review request

Hi Chip – did you see my email below?

Thanks –
 Brendan

Brendan I. LaCivita
 Deputy Director of Strategic Communications
 Office of Public Affairs
 U.S. Department of Homeland Security
 (b)(7)(F)(b)(6)
www.DHS.gov

From: Lacivita, Brendan
Sent: Thursday, March 28, 2013 12:48 PM
To: Boucher, Leo
Subject: FW: OIA-CAN Review - Theresa Brown Prepublication review request

Hi Chip – attached for your review is an article written by a former OIA employee on the US-Canada Beyond the Border declaration for publication in the Canada-US Law Journal at Case Western Reserve University Law School.

OIA, OCSO, and I/A already have cleared (OIA cleared with comments for the author).

Let me know if you have any questions.

Thanks –
 Brendan

Brendan I. LaCivita
 Deputy Director of Strategic Communications
 Office of Public Affairs
 U.S. Department of Homeland Security
 (b)(7) (b)(6)
www.DHS.gov

From: Brack, Anthony
Sent: Thursday, March 07, 2013 6:21 AM
To: Lacivita, Brendan
Cc: (b)(6)
Subject: Prepublication review request

Brendan,

(b)(6) is requesting a prepublication review on the following attachment; also (b)(6) would like a estimate of how long it might take to review. She was told by her research team that helped with all of the footnotes are public sources. She informed her research team reference to an article about wikileaks will have to be changed (there are other public sources for information on the pre-Olympics security planning that I have found that have official statements from DHS sources).
 If you have any questions or concerns, (b)(6) contact information is listed below.

Very respectfully

(b)(6);(b)(7)(C)
 Security Management Branch (Team Lead)
 Senior Information Security Specialist
 Office of Intelligence and Analysis
 Department of Homeland Security
 (b)(6)

Dear Sir/Madam:

I am a former DHS employee, and my last position was as DHS Attaché to Canada with the Office of International Affairs, departing DHS in July 2011. I held a security clearance during my tenure at DHS. I spoke today with (b)(6);(b)(7) regarding pre-publication review of an article I have written on the US-Canada Beyond the Border Declaration for publication in the Canada-US Law Journal at Case Western Reserve University Law School. I am requesting pre-publication review of this article to be certain that I have not inadvertently disclosed any classified or SBU material. The Journal is hoping to send this to publication as early as next week, so I hope that the review can be completed in a short time. I am also reviewing for content now, so please contact me immediately if anything in this article raises concerns about sensitive information that might be disclosed. I will be happy to edit to address any concerns there are.

I can be reached at the number below for any questions you might have or to discuss anything relating to this article.

Thank you for your prompt attention to this request.

Regards,

(b)(6)
 President and CEO
 Cardinal North Strategies, LLC
 P: (b)(6)
 Email: (b)(6)
 URL: www.cardinalnorthstrategies.com

~~FOUO // PRE-DECISIONAL // DRAFT~~

 Please consider the environment before printing this e-mail

From: Lacivita, Brendan
To: (b)(6)
Subject: FW: Pre-Publication Review
Date: Friday, June 21, 2013 4:00:00 PM

FYA

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6) [mailto:\(b\)\(6\)](mailto:(b)(6)@dhs.gov)
Sent: Friday, June 21, 2013 3:51 PM
To: Lacivita, Brendan
Subject: Re: Pre-Publication Review

Thank you for the review. I deeply appreciate the comments and will thoroughly check into each one and make the appropriate changes.

Sincerely,

(b)(6)

From: Lacivita, Brendan
Sent: Friday, June 21, 2013 11:16 AM
To: (b)(6)
Subject: FW: Pre-Publication Review

(b)(6) attached is your article. It's been reviewed by several divisions here at DHS – all of which commented on factual inaccuracies, including your statement that “large agencies like CBP and Coast Guard have their own organic intelligence analysis units, though they are not officially recognized by the Intelligence Community.” I/A stated that while CBP is not a member of the Intelligence Community the U.S. Coast Guard is indeed a member of the Intelligence Community. If you intend to rewrite the article you may want to consider these comments with the understanding that the Department has cleared from a release of sensitive-data context only.

Regards,

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
To: (b)(6)
Subject: FW: Garza editorial
Date: Monday, April 22, 2013 11:21:00 AM
Attachments: (b)(6)

Hi (b)(6) – please see below.

Chip in Gen Law recommended I forward to you as well even though the article was written by a former employee.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
Sent: Friday, April 19, 2013 5:17 PM
To: Boucher, Leo; (b)(6) (b)(7)(C) (b)(7)(C) Young, John; (b)(7) (b)(7)(C) Lott, Thomas (b)(6)
(b)(6)
Subject: FW: (b)(6) editorial
Importance: High

HI folks – attached for your review is an article on bioethics issues written by a former OHA employee for June publication in the University of Pittsburgh Medical Center's academic journal *Biodefense and Biosecurity*.

The article is written on behalf of the Presidential Commission for the Study of Bioethical Issues.

Let me know if you have any questions.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: [Lacivita, Brendan](#)
To: [Nichols, Kate](#)
Subject: FW: Garza editorial
Date: Tuesday, April 23, 2013 2:08:00 PM
Attachments: (b)(6)

Kate – this is good to go – the DHS clearance process is completed.

Thanks -

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
Sent: Monday, April 22, 2013 12:29 PM
To: (b)(6); Jensen, Robert; Boogaard, Peter
Subject: FW: Garza editorial

HI folks – attached for your review is an article on bioethics issues written by a former OHA employee for June publication in the University of Pittsburgh Medical Center's academic journal *Biodefense and Biosecurity*.

The article is written on behalf of the Presidential Commission for the Study of Bioethical Issues, and already has been cleared by OHA, OIA, OCSO, and OGC/Gen Law.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Lacivita, Brendan
To: (b)(6)
Subject: RE: Prepublication review request
Date: Wednesday, April 24, 2013 2:35:00 PM



Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6) (b)(6)
Sent: Wednesday, April 24, 2013 2:33 PM
To: Lacivita, Brendan
Subject: RE: Prepublication review request

Thank you! Once a DHSer, always a DHSer!

From: Lacivita, Brendan (b)(6)
Sent: Wednesday, April 24, 2013 2:26 PM
To: (b)(6)
Subject: RE: Prepublication review request

Hi (b)(6) I forwarded your email to my colleagues in the press office. They'll get back with you.

Thanks for checking in -

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6) (b)(6)
Sent: Wednesday, April 24, 2013 1:54 PM
To: Lacivita, Brendan
Subject: RE: Prepublication review request

Can I ask another favor? I've been contacted by Canadian Press to comment on the arrests in Canada of two suspect charged with attempting to bomb a VIA rail train. I'd like to know what DHS is saying, if anything before responding. I sent an email to mediainquiries, but no response. Specifically, at least one news outlet (and now being repeated elsewhere) has said that DHS was involved in the investigation. I haven't seen anything from any official source confirming that. I

don't want to make an assumption. Can you simply let me know whether DHS has said anything publicly about any involvement? You don't need to say yes or no to actual involvement, just whether DHS has said anything about its involvement or not.

I'd like to reflect DHS' point of view as much as possible on this.

Thanks,

(b)(6)

From: Lacivita, Brendan [mailto:(b)(6)]
Sent: Wednesday, April 24, 2013 1:24 PM
To: (b)(6)
Subject: RE: Prepublication review request

I will -

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: (b)(6)
Sent: Wednesday, April 24, 2013 12:28 PM
To: Lacivita, Brendan
Subject: RE: Prepublication review request

Thanks, Brendan. And please pass along my thanks to those who looked it over.

(b)(6)

From: Lacivita, Brendan (b)(6)
Sent: Wednesday, April 24, 2013 9:53 AM
To: (b)(6) (b)(6)
Subject: FW: Prepublication review request

Hi (b)(6) – the attached article has been cleared.

Thanks for your patience as we worked to get it reviewed.

Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications

Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 07, 2013 6:21 AM
To: Lacivita, Brendan
Cc: (b)(6)
Subject: Prepublication review request

Brendan,

(b)(6) is requesting a prepublication review on the following attachment; also (b)(6) would like a estimate of how long it might take to review. She was told by her research team that helped with all of the footnotes are public sources. She informed her research team reference to an article about wikileaks will have to be changed (there are other public sources for information on the pre-Olympics security planning that I have found that have official statements from DHS sources). If you have any questions or concerns, (b)(6) contact information is listed below.

Dear Sir/Madam:

I am a former DHS employee, and my last position was as (b)(6)
(b)(6) I held a security clearance during my tenure at DHS. I spoke today with (b)(6);(b)(7)(C) regarding pre-publication review of an article I have written on the US-Canada Beyond the Border Declaration for publication in the Canada-US Law Journal at Case Western Reserve University Law School. I am requesting pre-publication review of this article to be certain that I have not inadvertently disclosed any classified or SBU material. The Journal is hoping to send this to publication as early as next week, so I hope that the review can be completed in a short time. I am also reviewing for content now, so please contact me immediately if anything in this article raises concerns about sensitive information that might be disclosed. I will be happy to edit to address any concerns there are.

I can be reached at the number below for any questions you might have or to discuss anything relating to this article.

Thank you for your prompt attention to this request.

Regards,

(b)(6)
President and CEO
Cardinal North Strategies, LLC
Ph: (b)(6)
Email: (b)(6) (b)(6)

URL: www.cardinalnorthstrategies.com

Very respectfully

(b)(6);(b)(7)(C)

Security Management Branch (Team Lead)
Senior Information Security Specialist
Office of Intelligence and Analysis
Department of Homeland Security

(b)(6)

(b)(6)

President and CEO
Cardinal North Strategies, LLC
www.cardinalnorthstrategies.com

(b)(6)

(b)(6)

(b)(6)

President and CEO
Cardinal North Strategies, LLC
www.cardinalnorthstrategies.com

(b)(6)

(b)(6)

President and CEO
Cardinal North Strategies, LLC
www.cardinalnorthstrategies.com

(b)(6)

From: Lacivita, Brendan
To: Boogaard, Peter; (b)(6)
Subject: FW: Prepublication review request
Date: Wednesday, April 24, 2013 2:24:00 PM
Importance: High

Hey guys – see below. Will you please get back with (b)(6) She's a former OIA employee.

Thanks -

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6) (b)(6)
Sent: Wednesday, April 24, 2013 1:54 PM
To: Lacivita, Brendan
Subject: RE: Prepublication review request

Can I ask another favor? I've been contacted by Canadian Press to comment on the arrests in Canada of two suspect charged with attempting to bomb a VIA rail train. I'd like to know what DHS is saying, if anything before responding. I sent an email to mediainquiries, but no response. Specifically, at least one news outlet (and now being repeated elsewhere) has said that DHS was involved in the investigation. I haven't seen anything from any official source confirming that. I don't want to make an assumption. Can you simply let me know whether DHS has said anything publicly about any involvement? You don't need to say yes or no to actual involvement, just whether DHS has said anything about its involvement or not.

I'd like to reflect DHS' point of view as much as possible on this.

Thanks,

(b)(6)

From: Lacivita, Brendan (b)(6)
Sent: Wednesday, April 24, 2013 1:24 PM
To: (b)(6)
Subject: RE: Prepublication review request

I will -

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs

U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: (b)(6) (b)(6)

Sent: Wednesday, April 24, 2013 12:28 PM

To: Lacivita, Brendan

Subject: RE: Prepublication review request

Thanks, Brendan. And please pass along my thanks to those who looked it over.

(b)(6)

From: Lacivita, Brendan (b)(6)

Sent: Wednesday, April 24, 2013 9:53 AM

To: (b)(6) (b)(6)

Subject: FW: Prepublication review request

(b)(6) – the attached article has been cleared.

Thanks for your patience as we worked to get it reviewed.

Brendan

Brendan I. LaCivita

Deputy Director of Strategic Communications

Office of Public Affairs

U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: (b)(6);(b)(7)(C)

Sent: Thursday, March 07, 2013 6:21 AM

To: Lacivita, Brendan

Cc: (b)(6)

Subject: Prepublication review request

Brendan,

(b)(6) is requesting a prepublication review on the following attachment; also (b)(6) would like a estimate of how long it might take to review. She was told by her research team that helped with all of the footnotes are public sources. She informed her research team reference to an article about wikileaks will have to be changed (there are other public sources for information on the pre-Olympics security planning that I have found that have official statements from DHS sources). If you have any questions or concerns, (b)(6) contact information is listed below.

Dear Sir/Madam:

I am a former DHS employee, and my last position was as (b)(6)
(b)(6) I held a security clearance during my tenure at
DHS. I spoke today with (b)(6);(b)(7)(C) regarding pre-publication review of an article I have written
on the US-Canada Beyond the Border Declaration for publication in the Canada-US Law Journal at
Case Western Reserve University Law School. I am requesting pre-publication review of this article
to be certain that I have not inadvertently disclosed any classified or SBU material. The Journal is
hoping to send this to publication as early as next week, so I hope that the review can be completed
in a short time. I am also reviewing for content now, so please contact me immediately if anything in
this article raises concerns about sensitive information that might be disclosed. I will be happy to
edit to address any concerns there are.

I can be reached at the number below for any questions you might have or to discuss anything
relating to this article.

Thank you for your prompt attention to this request.

Regards,

(b)(6)
President and CEO
Cardinal North Strategies, LLC
Ph: (b)(6)
Email: (b)(6) (b)(6)
URL: www.cardinalnorthstrategies.com

Very respectfully

(b)(6);(b)(7)(C)
Security Management Branch (Team Lead)
Senior Information Security Specialist
Office of Intelligence and Analysis
Department of Homeland Security

(b)(6)

(b)(6)
President and CEO
Cardinal North Strategies, LLC
www.cardinalnorthstrategies.com

(b)(6) (b)(6)

(b)(6)

President and CEO
Cardinal North Strategies, LLC
www.cardinalnorthstrategies.com

(b)(6)

(b)(6)

From: Lacivita, Brendan
To: (b)(6)
Subject: FW: Prepublication review request
Date: Wednesday, April 24, 2013 9:51:00 AM
Attachments: (b)(6)

Hi (b)(6) the attached article has been cleared.

Thanks for your patience as we worked to get it reviewed.

Brendan

Brendan I. LaCivita
 Deputy Director of Strategic Communications
 Office of Public Affairs
 U.S. Department of Homeland Security
 (b)(6) (b)(6)
www.DHS.gov

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 07, 2013 6:21 AM
To: Lacivita, Brendan
Cc: (b)(6)
Subject: Prepublication review request

Brendan,

(b)(6) is requesting a prepublication review on the following attachment; also (b)(6) would like a estimate of how long it might take to review. She was told by her research team that helped with all of the footnotes are public sources. She informed her research team reference to an article about wikileaks will have to be changed (there are other public sources for information on the pre-Olympics security planning that I have found that have official statements from DHS sources). If you have any questions or concerns, (b)(6) contact information is listed below.

Dear Sir/Madam:

I am a former DHS employee, and my last position was as (b)(6)
 (b)(6) I held a security clearance during my tenure at DHS. I spoke today with (b)(6);(b)(7)(C) regarding pre-publication review of an article I have written on the US-Canada Beyond the Border Declaration for publication in the Canada-US Law Journal at Case Western Reserve University Law School. I am requesting pre-publication review of this article to be certain that I have not inadvertently disclosed any classified or SBU material. The Journal is hoping to send this to publication as early as next week, so I hope that the review can be completed in a short time. I am also reviewing for content now, so please contact me immediately if anything in this article raises concerns about sensitive information that might be disclosed. I will be happy to edit to address any concerns there are.

I can be reached at the number below for any questions you might have or to discuss anything relating to this article.

Thank you for your prompt attention to this request.

Regards,

(b)(6)

President and CEO

Cardinal North Strategies, LLC

Ph: (b)(6)

Email: (b)(6)

URL: www.cardinalnorthstrategies.com

Very respectfully

(b)(6);(b)(7)(C)

Security Management Branch (Team Lead)

Senior Information Security Specialist

Office of Intelligence and Analysis

Department of Homeland Security

(b)(6)

From: (b)(6)
To: Lacivita, Brendan; Jensen, Robert
Cc: Boogaard, Peter; (b)(6)
Subject: RE: Prepublication review request
Date: Tuesday, April 23, 2013 10:31:25 PM

I'm good. Thanks!

From: Lacivita, Brendan
Sent: Tuesday, April 23, 2013 1:46 PM
To: Jensen, Robert
Cc: (b)(6); Boogaard, Peter; (b)(6)
Subject: RE: Prepublication review request

Publication was pushed back to accommodate DHS review.

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Jensen, Robert
Sent: Tuesday, April 23, 2013 1:43 PM
To: Lacivita, Brendan
Cc: (b)(6); Boogaard, Peter; (b)(6)
Subject: FW: Prepublication review request

I have reviewed this article and aside from the striking of the reference to articles about wikileaks docs (which I agree with the need to strike), see no other issues since all the references are from open source materials and the factual points brought up do not contradict our policy positions. (We can't dictate how the author interprets the success or failure of USG efforts).

So this took a month and a half for all the other clearances? Have you reached out to the author to see if this is still in line for publication since the original date was more than a month ago?

Recommendation: clear for OPA, unless (b)(6) Pete or (b)(6) have any concerns. Please wait for their greenlight.

From: Lacivita, Brendan
Sent: Tuesday, April 23, 2013 11:21 AM
To: (b)(6) Jensen, Robert; Boogaard, Peter
Subject: FW: Prepublication review request

Attached for your review is an article on the USA-Canada Beyond the Border declaration written by a former DHS/OIA employee. Further details about publication are provided in the email below.

The article already has cleared I/A, OCSO, OIA, and OGC.

Thanks –

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 07, 2013 6:21 AM
To: Lacivita, Brendan
Cc: (b)(6)
Subject: Prepublication review request

Brendan,

(b)(6) is requesting a prepublication review on the following attachment; also (b)(6) would like a estimate of how long it might take to review. She was told by her research team that helped with all of the footnotes are public sources. She informed her research team reference to an article about wikileaks will have to be changed (there are other public sources for information on the pre-Olympics security planning that I have found that have official statements from DHS sources). If you have any questions or concerns, (b)(6) contact information is listed below.

Dear Sir/Madam:

I am a former DHS employee, and my last position was as (b)(6)
(b)(6) I held a security clearance during my tenure at DHS. I spoke today with (b)(6);(b)(7)(C) regarding pre-publication review of an article I have written on the US-Canada Beyond the Border Declaration for publication in the Canada-US Law Journal at Case Western Reserve University Law School. I am requesting pre-publication review of this article to be certain that I have not inadvertently disclosed any classified or SBU material. The Journal is hoping to send this to publication as early as next week, so I hope that the review can be completed in a short time. I am also reviewing for content now, so please contact me immediately if anything in this article raises concerns about sensitive information that might be disclosed. I will be happy to edit to address any concerns there are.

I can be reached at the number below for any questions you might have or to discuss anything relating to this article.

Thank you for your prompt attention to this request.

Regards,

(b)(6)

President and CEO

Cardinal North Strategies, LLC

Ph: (b)(6)

Em

(b)(6)

URL: www.cardinalnorthstrategies.com

Very respectfully

(b)(6);(b)(7)(C)

Security Management Branch (Team Lead)

Senior Information Security Specialist

Office of Intelligence and Analysis

Department of Homeland Security

(b)(6)

From: [Lacivita, Brendan](#)
To: [Boucher, Leo](#)
Subject: RE: Prepublication review request
Date: Tuesday, April 23, 2013 11:14:00 AM

Yes – OCSO already cleared.

Thanks Chip –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security
(b)(6) (b)(6)
www.DHS.gov

From: Boucher, Leo
Sent: Tuesday, April 23, 2013 9:13 AM
To: Lacivita, Brendan
Subject: RE: Prepublication review request

Hi Brendan
I scanned this and see no legal concerns, so long as the security and subject matter experts are satisfied that it's all releasable.
Chip

Chip Boucher
Assistant General Counsel, Administrative Law Branch
General Law Division
Office of the General Counsel
Department of Homeland Security
Washington, DC 20528
Telephone: (b)(6) (b)(6); Cell: (b)(6) (b)(6)

~~This communication, along with any attachments, is covered by federal and state law governing electronic communications and may contain confidential and legally privileged information. If you are not the intended recipient, any dissemination, distribution, use or copying of this message and any attachment is strictly prohibited. If you received this message in error, please reply immediately and delete the message. Thank you.~~

From: Lacivita, Brendan
Sent: Monday, March 25, 2013 4:06 PM
To: Young, John; Lott, Thomas; Boucher, Leo
Cc: (b)(7)(C) (b)(7)(C)
Subject: FW: Prepublication review request

Hi folks – attached for your review is an article on the USA-Canada Beyond the Border declaration

written by a former DHS/OIA employee. Further details about publication is provided in the email below.

The article currently is under review in OIA, and I/A already cleared.

Let me know if you have any questions.

Thanks –
Brendan

Brendan I. LaCivita
Deputy Director of Strategic Communications
Office of Public Affairs
U.S. Department of Homeland Security

(b)(6) (b)(6)

www.DHS.gov

From: (b)(6);(b)(7)(C)
Sent: Thursday, March 07, 2013 6:21 AM
To: Lacivita, Brendan
Cc: (b)(6)
Subject: Prepublication review request

Brendan,

(b)(6) is requesting a prepublication review on the following attachment; also (b)(6) would like a estimate of how long it might take to review. She was told by her research team that helped with all of the footnotes are public sources. She informed her research team reference to an article about wikileaks will have to be changed (there are other public sources for information on the pre-Olympics security planning that I have found that have official statements from DHS sources). If you have any questions or concerns, (b)(6) contact information is listed below.

Dear Sir/Madam:

I am a former DHS employee, and my last position was as (b)(6)

(b)(6) I held a security clearance during my tenure at DHS. I spoke today with (b)(6);(b)(7)(C) regarding pre-publication review of an article I have written on the US-Canada Beyond the Border Declaration for publication in the Canada-US Law Journal at Case Western Reserve University Law School. I am requesting pre-publication review of this article to be certain that I have not inadvertently disclosed any classified or SBU material. The Journal is hoping to send this to publication as early as next week, so I hope that the review can be completed in a short time. I am also reviewing for content now, so please contact me immediately if anything in this article raises concerns about sensitive information that might be disclosed. I will be happy to edit to address any concerns there are.

I can be reached at the number below for any questions you might have or to discuss anything

relating to this article.

Thank you for your prompt attention to this request.

Regards,

(b)(6)

President and CEO

Cardinal North Strategies, LLC

Ph (b)(6)

Em (b)(6)

URL: www.cardinalnorthstrategies.com

Very respectfully

(b)(6);(b)(7)(C)

Security Management Branch (Team Lead)

Senior Information Security Specialist

Office of Intelligence and Analysis

Department of Homeland Security

(b)(6)



Homeland Security

Domestic Nuclear Detection Office

Public Release of Materials Standard Operating Procedure

Signed: _____

(b)(6)

Richard A. Passow
Acting Chief of Staff

7 Apr '17
Date

Domestic Nuclear Detection Office

Public Release of Materials Standard Operating Procedure

I. Purpose

The purpose of this Standard Operating Procedure (SOP) is to outline the administrative policy and procedure for requesting materials be approved for release to the public.

II. Scope

This SOP applies to any materials created by DNDO federal, detailee, or Intergovernmental Personnel Act staff. It also applies to material under the control of DNDO and created by laboratory staff, students, and contractors on behalf of DNDO or regarding DNDO-funded research and development.

III. References

- Management Directive No. 123-06
- Management Directive No. 123-08

IV. Definitions

- Material: any formal written information (e.g., abstracts, articles, briefs, correspondence, fact sheets, handbooks, pamphlets, presentations, remarks, reports, posters, press packages, white papers).
 - DNDO materials: materials created within DNDO by federal employees or contractor support staff pertaining to DNDO's mission, operations, or functions.
 - Contractor or grantee materials: materials created outside of DNDO regarding DNDO-funded research and development.

V. Roles and Responsibilities

The requestor is responsible for:

- ensuring the DNDO material has been reviewed by a derivative classifier and found to be suitable for public release;
- obtaining preliminary approval for public release from their Assistant Director or Principal Deputy Assistant Director;
- submitting the DNDO material to DNDO Actions for review;
- making any changes requested by an approver in order to secure approval for public clearance; and
- releasing the materials in the approved file format and to appropriate recipients.

The Contracting Officer is responsible for routing materials from contractors or grantees to the DNDO Program Manager.

The DNDO Program Manager is responsible for reviewing and approving relevant contractor or grantee materials, as well as releasing the materials in the approved file format and to appropriate recipients.

Domestic Nuclear Detection Office

Public Release of Materials Standard Operating Procedure

The derivative classifier is responsible for certifying that the material is unclassified and non-FOUO.

The Assistant Director (AD) or Principal Deputy Assistant Director (PDAD) is responsible for reviewing and preliminarily approving their Directorate's requested DNDO materials for public release before their submission to the DNDO Actions Team.

The DNDO Actions Team (DNDO Actions) is responsible for:

- reviewing DNDO materials for public release;
- routing the materials, as appropriate, to DNDO senior leadership, DNDO Security, DNDO Office of General Counsel, and DHS Office of Public Affairs; and
- notifying the requestor when the material is approved for public release, i.e., cleared.

The DNDO Director, Deputy Director, Chief of Staff, Security Office, and Office of General Counsel may be required to approve material for public release.

VI. Policy and Procedures

Policy

All material pertaining to DNDO operations or programs must be cleared before release to the public via the procedure described below. All materials approved for public release may only be released in PDF format. These materials must also adopt Department guidelines concerning branding and formatting.

Procedure

○ DNDO Materials

1. Pre-Submission

The requestor (i.e., one wanting to release materials publicly) will perform a derivative classification review on the material to ensure that it is unclassified and non-FOUO. If the requestor is not qualified to perform this review, they will ensure that a trained derivative classifier familiar with the subject matter performs the review.

The requestor will submit the material to their AD/PDAD for review and preliminary approval.

2. Submit to DNDO Actions

Once approved by the AD/PDAD, the requestor will email the material for review to DNDO Actions at least ten business days prior to the intended release date.

Domestic Nuclear Detection Office

Public Release of Materials Standard Operating Procedure

Their email will clearly indicate that the content of the material has been approved by the AD/PDAD and has been determined to be unclassified/non-FOUO.

3. Front Office Review

DNDO Actions will coordinate clearance, as appropriate, from DNDO Security, DNDO Office of General Counsel, DNDO senior leadership, and DHS Office of Public Affairs.

If any changes are requested by an approver, DNDO Actions will provide comments to the requestor. The requestor or DNDO Actions will make the changes.

When the material is cleared for public release, DNDO Actions will contact the requestor to notify them.

4. Release of Materials

The requester will release the materials in the required file format to the appropriate recipients.

o Contractor or Grantee Materials

1. Submission to DNDO

DNDO contractors or grantees will submit material to their Contracting Officer. The Contracting Officer will send the material to the DNDO Program Manager.

2. DNDO Review

The Program Manager will review the material. Materials from a contractor or grantee will only be cleared if it meets the following criteria:

- all content is unclassified/non-FOUO (the Program Manager must ensure a derivative classification review if they are not qualified to perform such a review);
- no use is made of the Department of Homeland Security seal;
- no mention is made of any specific DNDO employees working on the project, such as the Project Manager; and
- use of the following statement is ensured, if the project received funding from DNDO: "This work has been supported by the U.S. Department of Homeland Security, Domestic Nuclear Detection Office, under competitively awarded contract/IAA HSHQDC-0x-x-00xxx. This support does not constitute an express or implied endorsement on the part of the Government."

Domestic Nuclear Detection Office

Public Release of Materials Standard Operating Procedure

If the Program Manager approves the release, they shall notify the Contracting Officer via email that the material is cleared for public release. The material will be attached to this email and DNDO Actions will be copied.

If the Program Manager is unsure whether materials are able to be released, they will not release the materials but will refer the matter in an email to DNDO Actions.

The Program Manager will release cleared materials in the approved filed format and to appropriate recipients.

VII. Superseded/Cancelled Policy

This SOP supersedes the Request for Public Release of Information SOP dated May 22, 2014.

VIII. Questions/Concerns

Any questions regarding this SOP should be referred to DNDO-Actions@hq.dhs.gov.

IX. Additional Resources

- [DHS Branding Guidelines](#)

From: Lacivita, Brendan
Sent: 11 Jan 2018 10:31:40 -0500
To: FOIA
Subject: FW: Academic Expectations/Compliance

Email 32

Brendan I. LaCivita
Communication Operations Editor
Office of Public Affairs
Office of the Secretary
U.S. Department of Homeland Security

(b)(6)

www.DHS.gov

From: Lacivita, Brendan
Sent: Tuesday, August 30, 2016 3:34 PM
To: (b)(6)
Subject: RE: Academic Expectations/Compliance

Hi (b)(6) – just called you but got VM.

(b)(6) asked me yesterday whether or not interns are covered by DHS' pre-publication review requirements. Currently we operate under an ad-hoc system where anyone with access to DHS information for official duties must seek pre-publication review before publishing materials containing DHS information in their personal capacity. In the draft MD still under intra-Department review anyone is limited to *employees*, and *personnel*, so I asked (b)(6) – senior counselor to the US for Management – to opine on how broad the definition of employees/personnel should be (contractors, interns, etc.). Once that debate is settled the MD will be issued. In the meantime, anyone with access to DHS information needs to follow the pre-publication process.

Hope that helps.

Thanks –
Brendan

Brendan I. LaCivita
Communication Operations Editor
Office of Public Affairs
Office of the Secretary
U.S. Department of Homeland Security

(b)(6)

www.DHS.gov

From: (b)(6)
Sent: Tuesday, August 30, 2016 1:05 PM
To: Lacivita, Brendan (b)(6)
Subject: FW: Academic Expectations/Compliance

Hey, Brendan—long time, no talk! I hope you are well. I moved on from I&A/PMD long ago, but am now onto a new adventure leading the DHS Joint Analysis Group. One of my interns received the note below and I wanted to chat with you about the process as he began his new classes yesterday. Might you have a few minutes available to talk on the phone in the next day or two?

Thanks,

(b)(6)

(b)(6)

Chief, DHS Joint Analysis Group (D-JAG)

(b)(6)

From: (b)(6)

Sent: Tuesday, August 30, 2016 10:46 AM

To: (b)(6)

Subject: FW: Academic Expectations/Compliance

From: (b)(6)

Sent: Monday, August 29, 2016 4:17 PM

To: I&A Interns

Cc: (b)(6)

Subject: Academic Expectations/Compliance

Ladies and Gentlemen,

Let me add my welcome to each of you. As indicated by (b)(6) last week, as an employee cleared TS/SCI you are required to submit all written products for release to the public for pre-publication reviews. The purpose of this review is to ensure classified and sensitive but unclassified information is not inadvertently released. All documents being submitted for pre-publication review should be submitted a minimum of 1 week prior to due date, when possible. We understand there are sometimes short suspense's and will do our best to ensure your documents are reviewed in a timely manner. If you know your document has a short suspense, please identify the suspense date in the subject of your e-mail (i.e., Pre-Publication Review – Suspense 9/5/2016), this will alert all reviewing the document of the suspense.

All pre-publication reviews must be submitted to the Office of Public Affairs (OPA) attn: Brendan Lacivita (b)(6). If, after you have submitted your document for pre-publication review, you do not hear something, please feel free to contact me and I will see if I can track it down. If you have any questions regarding pre-publication review, please do not hesitate to contact me.

r/

(b)(6)

Chief

Security Management Branch

Office of Intelligence and Analysis

From: Lacivita, Brendan
Sent: 11 Jan 2018 10:32:17 -0500
To: FOIA
Subject: FW: Academic Expectations/Compliance

Email 33

Brendan I. LaCivita
Communication Operations Editor
Office of Public Affairs
Office of the Secretary
U.S. Department of Homeland Security

(b)(6)

www.DHS.gov

From: Lacivita, Brendan
Sent: Wednesday, August 31, 2016 9:39 AM
To: (b)(6)
Subject: RE: Academic Expectations/Compliance

(b)(6) – if no DHS information is used then there's no need for DHS to review.

Thanks –
Brendan

Brendan I. LaCivita
Communication Operations Editor
Office of Public Affairs
Office of the Secretary
U.S. Department of Homeland Security

(b)(6)

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From: (b)(6)
Sent: Tuesday, August 30, 2016 4:59 PM
To: Lacivita, Brendan (b)(6)
Subject: RE: Academic Expectations/Compliance

Thanks, Brendan. Had to run offsite. So, if their writing is purely academic and contains absolutely no DHS information, their writing would not be subject to the review, right? For example, a paper on statistical techniques that never mentions or incorporates anything about DHS or their observations at DHS, etc.?

From: Lacivita, Brendan
Sent: Tuesday, August 30, 2016 3:33:47 PM

To: (b)(6)
Subject: RE: Academic Expectations/Compliance

H (b)(6) – just called you but got VM.

(b)(6) asked me yesterday whether or not interns are covered by DHS' pre-publication review requirements. Currently we operate under an ad-hoc system where anyone with access to DHS information for official duties must seek pre-publication review before publishing materials containing DHS information in their personal capacity. In the draft MD still under intra-Department review anyone is limited to *employees*, and *personnel*, so I asked (b)(6) – senior counselor to the US for Management – to opine on how broad the definition of employees/personnel should be (contractors, interns, etc.). Once that debate is settled the MD will be issued. In the meantime, anyone with access to DHS information needs to follow the pre-publication process.

Hope that helps.

Thanks –
Brendan

Brendan I. LaCivita
Communication Operations Editor
Office of Public Affairs
Office of the Secretary
U.S. Department of Homeland Security
(b)(6)
www.DHS.gov

From: (b)(6)
Sent: Tuesday, August 30, 2016 1:05 PM
To: Lacivita, Brendan (b)(6)
Subject: FW: Academic Expectations/Compliance

Hey, Brendan—long time, no talk! I hope you are well. I moved on from I&A/PMD long ago, but am now onto a new adventure leading the DHS Joint Analysis Group. One of my interns received the note below and I wanted to chat with you about the process as he began his new classes yesterday. Might you have a few minutes available to talk on the phone in the next day or two?

Thanks,
(b)(6)

(b)(6)
Chief, DHS Joint Analysis Group (D-JAG)
(b)(6)

From: (b)(6)
Sent: Tuesday, August 30, 2016 10:46 AM

To: (b)(6)
Subject: FW: Academic Expectations/Compliance

From: (b)(6)
Sent: Monday, August 29, 2016 4:17 PM
To: I&A_Interns
Cc: (b)(6)
Subject: Academic Expectations/Compliance

Ladies and Gentlemen,

Let me add my welcome to each of you. As indicated by (b)(6) last week, as an employee cleared TS/SCI you are required to submit all written products for release to the public for pre-publication reviews. The purpose of this review is to ensure classified and sensitive but unclassified information is not inadvertently released. All documents being submitted for pre-publication review should be submitted a minimum of 1 week prior to due date, when possible. We understand there are sometimes short suspense's and will do our best to ensure your documents are reviewed in a timely manner. If you know your document has a short suspense, please identify the suspense date in the subject of your e-mail (i.e., Pre-Publication Review – Suspense 9/5/2016), this will alert all reviewing the document of the suspense.

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r/
(b)(6)
Chief
Security Management Branch
Office of Intelligence and Analysis

From: Lacivita, Brendan
Sent: 11 Jan 2018 10:29:12 -0500
To: FOIA
Subject: FW: Pre-publication Reviews

Email 31

Brendan I. LaCivita
Communication Operations Editor
Office of Public Affairs
Office of the Secretary
U.S. Department of Homeland Security

(b)(6)

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From: Lacivita, Brendan
Sent: Monday, August 29, 2016 2:00 PM
To: (b)(6)
Subject: RE: Pre-publication Reviews

H (b)(6) – it depends on how we define *employees*. In the draft MD (waiting on finalization) we apply the policy to all part-time, full-time, former and current employees, and personnel with access to DHS information in an official capacity.

(b)(6) who may be able to assist.

Thanks –
Brendan

Brendan I. LaCivita
Communication Operations Editor
Office of Public Affairs
Office of the Secretary
U.S. Department of Homeland Security

(b)(6)

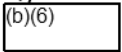
www.DHS.gov

From: (b)(6)
Sent: Monday, August 29, 2016 1:48 PM
To: Lacivita, Brendan (b)(6)
Subject: Pre-publication Reviews

Brendan,

I have received an inquiry as to whether or not interns would have to submit academic research papers, even though they are not related to their duties with DHS (specifically I&A). Absent any concrete policy I would think not from a security stand point but what say you from the public affairs stance?

r/
(b)(6)



From: Lacivita, Brendan
Sent: 30 Mar 2017 19:41:36 +0000
To: (b)(6)
Cc: Boucher, Leo
Subject: RE: Pre-Publication Question

H (b)(6) – the draft MD (policy) addressing pre-pub review has been with OGC for several years now. Adding Chip Boucher from OGC/Ad Law to this email for an update.

That being said, there is an existing I/A policy for folks who hold TS/SCI clearances, but I know you're aware of that. I bring that up because the draft MD complements that policy, but gives OPA the authority to manage intra-Department review.

Thanks –
Brendan

Brendan I. LaCivita
Communication Operations Editor
Office of Public Affairs
Office of the Secretary
U.S. Department of Homeland Security

(b)(6)

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From: (b)(6)
Sent: Thursday, March 30, 2017 11:10 AM
To: Lacivita, Brendan (b)(6)
Subject: Pre-Publication Question

Brendan – Can you please send me the policy/DHS website with information about the pre-publication review program? I'm working on an information sheet for the I&A workforce.

(b)(6)

From: Lacivita, Brendan
Sent: 30 Mar 2017 20:04:26 +0000
To: (b)(6)
Cc: Boucher, Leo
Subject: RE: Pre-Publication Question

Correct, and OPA's policy only requires a security review as long as the employee is writing in a personal capacity. If writing in a professional capacity (on behalf of DHS) then we review for content. We've addressed both scenarios in the draft MD.

Brendan I. LaCivita
 Communication Operations Editor
 Office of Public Affairs
 Office of the Secretary
 U.S. Department of Homeland Security
 (b)(6)
www.DHS.gov

From: (b)(6)
Sent: Thursday, March 30, 2017 3:48 PM
To: Lacivita, Brendan (b)(6)
Cc: Boucher, Leo (b)(6)
Subject: RE: Pre-Publication Question

Brendan – I&A does not have a formal policy, we have a requirement that is part of the NDA everyone signs for clearance holders to submit their material a security review (screening for FOUO/classified info).

(b)(6)

From: Lacivita, Brendan
Sent: Thursday, March 30, 2017 3:42 PM
To: (b)(6)
Cc: Boucher, Leo (b)(6)
Subject: RE: Pre-Publication Question

HI (b)(6) – the draft MD (policy) addressing pre-pub review has been with OGC for several years now. Adding Chip Boucher from OGC/Ad Law to this email for an update.

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(b)(6)

From: Lacivita, Brendan
Sent: 31 Mar 2017 13:50:21 +0000
To: Boucher, Leo
Subject: RE: Pre-Publication Question

Ok great. Didn't intend to throw OGC under the bus!

Thanks Chip -

Brendan

Brendan I. LaCivita
Communication Operations Editor
Office of Public Affairs
Office of the Secretary
U.S. Department of Homeland Security

(b)(6)

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From: Boucher, Leo
Sent: Friday, March 31, 2017 9:22 AM
To: Lacivita, Brendan (b)(6)
Subject: RE: Pre-Publication Question

The publication is pending supervisory action.

Chip Boucher
Assistant General Counsel, Administrative Law Branch
General Law Division
Office of the General Counsel
Department of Homeland Security
Washington, DC 20528

(b)(6)

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(b)(6)